

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CARLOS MONTEZ ELDER

v.

**DOUGLAS DRETKE, Director,
Texas Department of Criminal Justice
Correctional Institutions Division**

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3-05-CV-899-D

ORDER

After making the review required by 28 U.S.C. § 636(b), the court finds that the findings, conclusions and recommendation of the magistrate judge are correct, and they are adopted as the findings and conclusions of the court.

In his objections, petitioner maintains that the magistrate judge has selected a narrow group of six ineffective assistance of counsel claims raised in the petition and has ignored other issues that have substantial merit. The court disagrees. A fair reading of petitioner's May 3, 2005 petition and his September 23, 2005 reply to respondent's answers shows that the magistrate judge addressed the six grounds for habeas relief that petitioner has preserved for review.

Signed February 3, 2006.



SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE